

REMARKS

The only issue outstanding in the Office Action mailed July 12, 2004, is the rejection of claims 20 and 23 under 35 U.S.C §103. It is submitted that the cancellation of these claims renders this rejection moot. Accordingly, passage to issue is respectfully requested. However, it is respectfully submitted that the combination of references fails to suggest the presently claimed subject matter, and cancellation of the rejected claims is being made solely to further prosecution at a minimum cost.

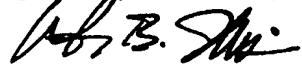
In particular, it is maintained that the combination of Winker, Chung and Van Haaren fails to suggest the presently claimed materials. As will be recalled, Winker discloses an optical compensator for liquid crystal displays, having at least one O plate retarder, at least one A plate retarder and at least one -C plate retarder. See, for example, column 2, lines 49-55 and Figure 8. The patentees teach that negatively birefringent C-plates may comprise uniaxially compressed polymers, stretched polymer films, or physical vapor deposited inorganic thin films. As admitted in the Office Action, at page 2, Patentees fail to teach linear or crosslinked polymerized chiral liquid crystalline materials, much less those having a helically twisted structure with a pitch of less than 250 nanometers. It is argued in the Office Action that Chung teaches the use of a helically twisted A plate retarder, comprising a chiral liquid crystalline material having a helical pitch of less than 250 nanometers, as being desirable, for example, in a construction such as Winker. Without regard to the accuracy of such a contention, as discussed previously, Van Haaren fails to suggest the use of its film as a negative C plate, much less in combination with an A plate retarder and an O plate retarder. Thus, regardless of whether the material of Van Haaren might have the same structure as such a retarder, and regardless of whether it might inherently function in this manner, nowhere is it obvious to combine the film of Van Haaren in such a construct since it is not taught to one of ordinary skill that the film would function as the twisted A plate of Chung, said to be useful in the construction of Winker.

In any event, it is again noted that the cancellation of claims 20 and 23 renders the rejection moot, and withdrawal thereof is respectfully requested.

The application is submitted to be in condition for allowance. However, should the Examiner have any questions or comments, he is cordially invited to telephone the undersigned at the number below.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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